

"NO" OR "I DON'T REMEMBER"

Apparent Avenues of Escape For John Lauer, the Witness.

HE TRIES TO USE THEM BOTH.

But Is Quite Effectually "Headed Off"—Cowan's Rigid Cross Examination—Lauer Denounces Mrs. Bell as a Perjurer.

The Lauer Trial.

It was nearly a quarter of 10 o'clock when Judge Neville opened court yesterday morning. Lauer was already sitting in his usual place by his counsel, Miss Lauer occupied a seat directly back of Judge Savage. The crowd in the lobby outside the railing was larger than on any morning previous. Many were standing up.

John Lauer, the defendant, was the first witness, and was immediately subjected to the cross-examination of General Cowan. His answers were made in a low tone, and General Cowan frequently had to suggest to him to speak up.

THE CROSS-EXAMINATION.

"Was your engagement broken off at that time?" asked General Cowan.

[Objected to as an improper cross-examination and not concerning any other matter drawn out in chief, and calling for evidence tending to make out the case of the prosecution in chief. Overruled. Defendant asked the question.]

"Did not consider it so at that time," "I did not consider it as broken off before the marriage."

Objected to all questions upon cross-examination, and asking for testimony concerning a conversation between the defendant and his deceased wife upon any other time, or at any other place than the occasions to which he has testified on his examination in chief, for the reason that the same is an improper cross-examination, and is a part of an effort by the prosecution to secure from this witness for the defense, testimony tending to support its case in chief, and for the further reason that all such testimony, showing previous trouble between the defendant and his deceased wife is too remote, irrelevant and immaterial. Overruled. Defendant excepts.

The court—"I will say to counsel that where matters are to be objected to I would like to have it objected to when the question is put, as I might be misled in considering the question carefully."

Lauer then answered:

"No, sir."

"She didn't say anything to you about it?"

"No, sir; she did not ask that it be broken off."

"Didn't she say anything to you about breaking it off?"

"No, sir."

"Didn't she say it had better be broken off?"

"No, sir."

"You were with respect to her a rather jealous disposition, were you not?"

[Objected the same as last, aforesaid; overruled, defendant excepts.]

"I think it is likely that at that time and possibly a little later that my feelings toward her were not good."

"And sometimes you got very indignant at her, did you not?"

"I became angry at times."

"You were very quick to get angry with respect to her, were you not?"

"I do not know that I am any quicker to anger on those occasions than I would be on any other where that feeling would be brought forth."

"Were you not quicker to anger against your wife or against Sallie Lauer or Sallie Goetschius, before your marriage?"

"Well, I was."

"And sometimes used rather hard language towards her, did you not?"

"Yes, sir."

"That is the only reason that I know of."

"After you were married I believe you went up to the Dougherty house to live, did you not?"

"Yes, sir."

"How long did you live there?"

"About four months; possibly three."

"It was all pleasant during all the time that you lived there?"

"There was some difficulty."

"Do you remember one time when your wife came in wearing a Mother Hubbard there at the Dougherty house?"

"My wife did wear a Mother Hubbard."

"Did you take it off from her one day?"

"No, sir."

"Did you tear it off from her?"

"No, sir."

"Did you tear the dress?"

"No, sir."

"Did you strike her?"

"No, sir."

"Did not abuse her?"

"I don't know about the harsh language; I know there were sometimes words between us and they were not confined to one person, they were on both sides."

"You accused her before marriage of being intimate with some one, did you not?"

"No, sir."

"You never said anything of the kind?"

"I never accused my wife either before or after marriage of any infidelity, of any unchaste conduct of any kind."

"You stated to her just before marriage, did you not, that she was intimate with somebody?"

"No, sir."

"You had no such conversation as that with Mrs. Goetschius?"

"I never did."

"Anything about anything of that character?"

"No word."

"She didn't say to you, 'Is that what I gave you my child for to accuse her in that way?'"

"I am positive that she did not use that language at all."

"Did she say to you, 'Don't you think Sallie is a virtuous girl?'"

"She did not."

"THE SEPARATION."

"Did she say to you I would rather see my child in a coffin than to put on the bridal veil to you?"

"She did not."

"Nothing of that kind?"

"She did not."

"At the time that you separated and went away from her, I believe."

"I did."

"After that separation how long was it before you went away?"

"About ten months."

"After the separation?"

"After the marriage."

"How long after the separation before you went away?"

"Before I left there, I think it was about three days."

"You left then on account of a little excitement about the difficulty, did you not?"

"No, sir; I did not leave on account of the excitement."

"On account of the comments that were made on account of your conduct? Oh, nothing of that kind?"

"No, sir."

"You knew there were such comments?"

"I did."

"You saw the accounts in the paper about it?"

"A PARTIAL ADMISSION."

"No, sir."

"I don't recall of any unkind word to her."

"I don't recall of any unkind word."

"You just got out of bed and took the dress and put it on."

"I objected to the style of dress at that time; I didn't like it."

"That was the only occasion that brought the action?"

"That was the motive."

"And you didn't say an unkind word to her?"

"I don't recollect; I may have, but I don't recollect of any."

"You didn't strike her?"

"No, sir."

"The fact is, you never struck her in your life, did you?"

"I cannot say that I have not."

"You couldn't say that you ever struck her in your life?"

"I can't say that I have not."

"You can't say that you have not?"

"No, sir."

"Did you leave her that morning you tore up the Mother Hubbard dress crying?"

"My impression is that I did not."

"Did she cry that morning?"

"I wasn't present to see."

"Did you see her crying that morning?"

"I did not see her crying that morning."

"Did not strike her with a pistol?"

"I did not."

"Do you remember one day that she hit you with her hand?"

"No, sir; I don't recollect of that."

"No recollection of anything like that?"

"No, sir."

"What did you strike her with?"

"What did I strike her with?"

"I will call the attention of the court to the remark of the state's attorney in regard to delaying the examination in order to give the witness time to answer and wish to take an exception on it."

"No, sir; if the shoe fits you take it and wear it. It didn't make a swelling or embassage across the bridge of the nose, did it?"

"No, sir."

"You never saw her then at the Dougherty house with her nose injured with the skin broken and swollen or black and blue on either side?"

"Not on the nose."

"Did that you slap her for?"

"Did you slap her that evening—a gentleman and his wife, and two or three other gentlemen I think were present, and I got angry at some little familiarity that I thought at the time was not proper; I felt angered at some little familiarity; it wasn't anything serious; it was perfectly proper, looking at it afterwards."

"Was it after they went away?"

"Yes, sir."

"You blackened her eyes?"

"It wasn't blackened the next day. It was discolored slightly, possibly a day or two afterwards."

HER BLACK EYE.

"Do you remember her there during that time with two black eyes?"

"No, sir."

"Did you take her out riding with a veil over her face and keep her up till evening so people wouldn't see her at the house?"

"I did not."

"Will you swear that you didn't?"

"I will."

"You didn't take her out riding with a veil over her face so anyone wouldn't see her black eyes?"

"No, sir."

"Did you have a revolver at this time?"

"I did."

"Where did you keep it?"

"I would keep it under my pillow at night."

"Did you strike her with it?"

"I never did."

"Did you strike her across the bridge of the nose and say, 'Damn you, I wish I had killed you there?'"

"No, sir; I did not."

"Do you know that your wife told Mrs. Lauer about that?"

"I did not."

"Do you now that she told her mother about that?"

THE REVOLVER EPISODE.

"I do not."

"Never heard of that?"

"I do know it now."

"You don't know that there was an account of it in the paper?"

"I do not."

"Never heard of it before?"

"I have heard it before; I have heard it in my case."

"You never heard it until you heard the evidence in this case?"

"That is the first I heard of it."

"Yes, sir."

"Of striking her with a pistol?"

"Yes, sir."

"Never heard it rumored at the time of the separation?"

"I didn't."

"Did you have a great many friends visit you?"

"My wife's friends used to come there occasionally."

"Did you have Mr. Williams there at Thanksgiving dinner?"

"Not that I remember."

"You don't recollect that you did?"

"No, sir."

"Did you have him there at any Thanksgiving dinner?"

"Not that I know at present. Mr. Williams has called at the house."

"Do you remember after dinner of hitting up and taking him home?"

"No, sir."

"Do you remember of sitting down on the lounge and your wife sitting between Mr. Williams and yourself?"

"I can't say that I recollect that."

"And you got up and hitched your horse and went to Mr. Williams home. Do you remember that?"

"I do not."

"And then coming back and abusing your wife for having talked to Mr. Williams?"

"I don't recollect that."

"And struck her?"

"No, sir."

"Nothing of that kind took place?"

"No, sir."

"It was not all pleasant between you then?"

SAYS SHE STRUCK HIM.

"It was not all entirely pleasant between us."

"You used to quarrel with her some times at the table, didn't you?"

"We did use to, some."

"It was confined to either one in particular?"

"I think it was on the part of both."

"She was as bad as you were as far as that is concerned?"

"I couldn't say that it was as bad; I have no complaint to make against my wife."

"She never used to strike you?"

"Mr. Savage—That is going a little too far; answer it, though."

"Well I don't care about answering that question; I can't take care of myself and not making any complaint against my wife."

"Mr. Savage—Answer it."

"I want to know whether she used to strike you?"

"She has struck me."

"You would have regular fights, would you not?"

"No I don't think we had any regular fights."

"What did she strike you with?"

"She would strike me with her open hand. That is all."

A SWEETENING DENIAL.

"Do you remember one morning when you sat down to breakfast and knocking your wife off the chair?"

"No, sir; that never occurred."

"And after you knocked her off the chair you asked her to eat breakfast and she would not?"

"No, sir."

"And you threw her on the floor and tried to punch the beef down her throat?"

"I don't know."

"Did she say that she told that to Mrs. E. P. Lier?"

"I don't."

"Nothing of the kind took place what ever?"

"Do you remember the first Christmas in that house?"

"I do."

"A CHRISTMAS DAY."

"Did you strike her at the table at breakfast that morning?"

"No, sir; we didn't have any breakfast."

"What was the matter?"

"I don't know what the matter was; I have never found out what the matter was."

"Your wife didn't say anything to you why she didn't get breakfast?"

"She didn't say anything that I recollect that morning at all."

"She never spoke to you that morning?"

"Not that I know of."

"You didn't speak to her?"

"I did speak to her that I know of."

"Did that you say to her?"

"I wished her a 'Merry Christmas' the first thing in the morning."

"What did she say?"

"Nothing."

"Lauer then went on to tell of the time when he threw the Christmas turkey at his wife. He admitted having thrown it at her but said it did not strike her. He afterwards took it up and threw it into the street."

"Do you remember one evening that you commenced beating her and she ran into the bed room and shut the door and tore the wire screen out of the bay window in the bed room and ran for her mother?"

"And you went after her and caught her down nearly at her mother's house?"

"No, sir."

"Did not she get out of that window and tear this wire screen getting out?"

"No, sir; she did not."

"She did not jump out of that bay window?"

"No, sir."

"You knew that she told that, did you not?"

"No, sir."

"Did you not stop her several times going down towards her mother's in the night, and persuade her to come back?"

"No, sir."

"When she went back to you she said she would go back and live with you if she knew that you would kill her, did not she?"

"Not that I ever heard."

"Do you not, Dr. Coffey, say to you, she says that she will go back and live with you even if you kill her?"

"The doctor may be honest in his impression, but he did not say that to me."

"Do you remember after your sister came of being over to Mrs. Savage's one day when your sister was there and Mr. Havens was coming, and you said, 'Sally, there comes your friend?'"

"I do not recollect of it."

"And you said he is no gentleman?"

"I do not recollect of it."

"And she said he is a gentleman and a friend of mine?"

"And you said, 'Well, you had better get him, and send for Mr. Crowell, too?'"

"I am positive now."

"That you did not say so?"

"I don't think she said that. I will speak to any gentleman when I please, and if you do not like it there is the door."

"I do not recollect of any conversation of that kind."

THE EXAMINATION IN CHIEF.

Shortly before eleven o'clock Lauer was closely examined upon the subject of the first burglary. He was forced to an admission that on that occasion he did see the head of the burglar distinctly, though the only light in the room was such as was thrown by a street lamp, 150 feet distant.

"What kind of a night was it outside?" asked General Cowan.

"It was dark and drizzling."

"And you saw the burglars head and the slouch hat?"

"Yes," replied Lauer, shifting uneasily, "I saw something of the sort."

"OR COFFEE FOR ONE."

"You were the very essence of kindness?"

"I have never claimed that at that particular time; I do claim it for a later time."

"You got home about 2 o'clock Christmas day; where was your wife when you went in?"

"She was in the bed room lying on the bed."

"Trying?"

"No, sir."

"Of striking her with a pistol?"

"I don't think I did; I know I didn't."

"Where did you go?"

"I went and laid down on the sofa."

"How long did you lie down on the sofa?"

"Until about bed time."

"She remained on the bed all the afternoon?"

"No, sir."

"Did you throw the coffee pot on her while she was in the bed?"

"No, sir."

"And fill her hair with coffee grounds?"

"No, sir."

"Did you strike her?"

"No, sir."

"You didn't touch her?"

"No, sir; I didn't strike her."

"You didn't touch her?"

"I couldn't say that I did after I got up out of bed that morning."

"Before you got out of bed, did you strike her before you got out of bed?"

"No, sir."

"MORE ABOUT THE TURKEY."

"Did you go and get a turkey and come in and pound her with a turkey?"

"No, sir."

"Nothing of the kind?"

"No, sir."

"There was no difficulty between you after that?"

"No, sir."

"So that the Christmas passed off exactly as you have described it now."

"I have not described it."

"Was there anything else took place than the fact that you got up in the morning and she wouldn't speak to you, you went out without your breakfast, that you came back at 2 o'clock and found her in bed, that you thereupon let her alone and went to the sofa and had down till 8 o'clock; was there anything else took place in the house?"

"I did not."

"The door was fastened?"

"Yes, sir."

"Was it your wife that fastened it?"

"I don't know."

THE NIGHT OF THE TRAGEDY.

It was well into the afternoon when General Cowan commenced his cross-examination of Lauer on the immediate circumstances of shooting his wife.

"On that night before the shooting you say when you came home you went in to get the supper, did you not?"

"I say that we both went in, and I got the supper."

"And you got the supper while she was taking off her wraps?"

"Yes, sir."

"Did she say she wanted to go to bed?"

"I provided for all the meals."

"It was your prepared supper that you and your wife sat down to?"

"She took no part in the getting of the supper."

"I would not be positive that she did not take part in it."

"And then you went and placed yourself on the lounge and lay there to read, did you not?"

"I went to lie on the lounge."

"Did she read to you a while?"

"Yes, sir."

"Did she say she wanted to go to bed?"

"No, that is not my recollection."

"And then after being prepared for bed she came to the sofa and wanted to lie down by your side, did she?"

"Yes, sir."

"She blushed?"

"After lying down by my side."

"You had been married long?"

"About two years and a half and a little over."

"When she came and placed herself on the lounge beside you you say that she blushed, do you?"

"Yes, sir."

"Did she then and rested a few moments and said her heart beat rapidly, did she?"

"I do not know whether she rested or not; she lay there by my side; we were talking to each other."

"Do you know what you were talking about?"

"I do not know what we were talking about."

"What else do you remember of taking place that night?"

"I recollect my wife had ordered some sweet cider that day and she brought the jug out or I did, she got it at Little & Williams and she or I went and got it in the kitchen, and brought the jug out to have some of it, and I recollect that we did not either of us like it because it was too sweet; it was too much like molasses; and the jug sat on the table all night."

"Do you know anything else that took place?"

"Nothing that occurs to me now."

"It was the usual way of spending your evenings?"

"Yes, sir."

"Did you answer in reply to Mr. Thurston's question then that it was the happiest evening that you ever spent in your life?"

"I do not think that that was my reply."

"Do you recollect anything of the kind?"

"I said it was one of the happiest nights in my life that evening."

"Was it that your wife came and placed herself on the sofa beside you—was that what made it one of the pleasantest nights?"

"I think everything connected with the evening, the manner of our going home and the manner that we spent the evening, I think that everything connected with it made it more pleasant than any other evening."

"Your wife did not get the supper that night, did she?"

"I do not think she did."

"Was that one reason to make the happiness of the night, because she left you tired to get your supper?"

"I did not complain of being tired."

"I know you did not, but you were tired, were you not?"

"That was nothing unusual."

"You were, as a matter of fact, were you not?"

"I was just ordinarily tired."

"On a certain evening in July, did your wife say to you just as you were going to bed, 'Look there, towards Gallagher's barn and Mr. McShane's; how hot it must be up there for those hostlers?'"

"I don't recollect that."

"Did you make a reply to her, 'Damn it, you think more of them than you think of me?'"

"No, sir."

"And have a fuss with her right there?"

"No, sir."

"Nothing of that kind?"

"No, sir."

"This oatmeal your wife put on the stove, did she?"

"Yes, sir."

"It was intended to be cooked for the morning, was it?"

"It was."

"Was there fire enough in the stove for that purpose?"

"I think there was fire enough I presume for that purpose."

"A pretty good fire when you went to bed, wasn't there?"

"If there had been a good fire the oatmeal might have got dried out and not been in good shape for breakfast; it was simply put on during the night."

"Was there a pretty good fire when you went to bed?"

"I do not recollect as to the condition of the fire particularly."

"Now, Mr. Lauer, did you notice how much light there was that night before you went to sleep, after the lamp was put out?"

"I did not."

"You didn't notice anything of that kind?"

"No, sir."

HE HEARD THE NOISE.

"When you woke up in the night you woke up from hearing a noise, did you?"

"It was a noise of some kind that woke me up."

"Was it a kind of rustling that you first heard?"

"I think it was a rustling noise. No, I can't say that it was a rustling. I heard the rustling after; what it was that woke me up I don't know."

"Some noise woke you up, and the next thing you heard after you woke was a kind of rustling?"

"Well, I was awake and heard the rustling noise."

"You distinctly remember that?"

"I am not positive as to that; that is my impression."

"What kind of rustling was it?"

"I don't know."

"You first heard the noise, then the rustling?"

"The same."

"And then you heard the voices?"

"The voice was almost simultaneous with the rustling about the same time."

"Didn't you swear the last time it was after you got the pistol that you heard the voices?"

"It might be I did swear to that."

"After you heard the voice, in what direction did you look?"

"I looked over the foot board."

"Where was the voice in your judgment at that time?"

"In my judgment I located it in the next room, in the other room."

"Can you tell then whether there was more than one voice?"

"I can't say, I have never been able to tell, I couldn't say as to what my impression was then; I should imagine that there was more than one person."

"You distinctly remember hearing somebody say something?"

"As for saying something I don't know as to that; I should imagine that there was something said."

"You didn't recognize what was said?"

"No, sir."

THE TWO BURGLARS.

"When you heard that voice you thought it was a burglar?"

"I supposed it was a burglar."

"And you thought there was two of them?"

"I did."

"And you thought one was talking to the other?"

"That is exactly as I thought."

"I looked to your right, isn't it a fact that when you first took your pistol in your hand you looked over the foot board into the sitting room and didn't see anybody, you then looked to the right and then looked up in front again and saw this body approaching?"

"My impression is that I looked while I was turning."

"Didn't you swear the last time like this: 'I looked after getting my pistol I didn't see anything, and then I looked to the right, thinking there might be somebody in my room?'"

"I don't know as to whether I did or not."

"Will you swear that you didn't so swear before?"

"Well, I want so swear now."

"Then you saw a head?"

"I saw what I supposed to be a head."

"Did you swear before that you saw, not what you supposed to be a head, but a head?"

"I presume I may have sworn that way; there may be a difference, but it is very slight."

"When you saw a head, you fired the head, didn't you?"

"I fired in the direction of the head as I supposed."

"Did you answer in the last trial of this case, to the question, 'You fired at the

"Douglas street, I proposed to my wife to go and look at the next evening; I said what will we do with this; it isn't fit to eat, there has been no care taken of it; my wife said I hate to throw it away; take it out in the street and let it freeze some where, maybe somebody will pick it up, thinking it is a turkey out of a grocery wagon; I took it down the hall and threw it in the street. We were both all right the next morning."

THE SEAMSTRESS.

"Didn't your wife say to you next morning, you had better stop that sewing woman that is going to come here to-day, I don't want her to see me all pounded up like this?"

"No, sir."

"Didn't you go down and see Miss Brennan who was coming up to sew and tell her your wife was sick? and not to come for a week?"

"I wished her a 'Merry Christmas' the first thing in the morning."

"What did she say?"

"Nothing."

"Lauer then went on to tell of the time when he threw the Christmas turkey at his wife. He admitted having thrown it at her but said it did not strike her. He afterwards took it up and threw it into the street."

"Do you remember one evening that you commenced beating her and she ran into the bed room and shut the door and tore the wire screen out of the bay window in the bed room and ran for her mother?"

"And you went after her and caught her down nearly at her mother's house?"

"No, sir."

"Did not she get out of that window and tear this wire screen getting out?"

"No, sir; she did not."

"She did not jump out of that bay window?"

"No, sir."

"You knew that she told that, did you not?"

"No, sir."

"Did you not stop her several times going down towards her mother's in the night, and persuade her to come back?"

"No, sir."

"When she went back to you she said she would go back and live with you if she knew that you would kill her, did not she?"

"Not that I ever heard."

"Do you not, Dr. Coffey, say to you, she says that she will go back and live with you even if you kill her?"

"The doctor may be honest in his impression, but he did not say that to me."

"Do you remember after your sister came of being over to Mrs. Savage's one day when your sister was there and Mr. Havens was coming, and you said, 'Sally, there comes your friend?'"

"I do not recollect of it."

"And you said he is no gentleman?"

"I do not recollect of it."

"And she said he is a gentleman and a friend of mine?"

"And you said, 'Well, you had better get him, and send for Mr. Crowell, too?'"

"I am positive now."

"That you did not say so?"

"I don't think she said that. I will speak to any gentleman when I please, and if you do not like it there is the door."

"I do not recollect of any conversation of that kind."

HE STRUCK HER.

"Were you at the theater on the night which brought about the final separation?"

"Yes, sir."

"Did you go with Mr. Goeken?"

"Yes, sir."

"Where was Mrs. Lauer when you got home?"

"She was in the dining room, I think, or sitting room."

"Did you commence speaking ugly to her?"

"I don't think I did."

"Did she strike you?"

"I didn't speak exactly ugly to begin with, she had spoken of my going to the theater and not taking the ladies."

"State what you said and what she said."

"I said, 'If I thought you would have heard about it, I would prefer to wait out here, I said no, if I thought she would have cared about it; she gave me to understand that I lied about it; I was angry and slapped her face.'

"No, sir."

"You have your finger closed?"

"Just a gentle, loving tap."

"It wasn't intended for love."

"Did you pull her hair?"

"No, sir."

"Did you tear her dress?"

"If her dress was torn it must have been in a later proceeding."

A LATER PROCEEDING.

Continuing Lauer said that he went into the room and laid down on the sofa. He said, "My wife commenced pulling the sofa away from the wall, and she screamed at the same time, and with that scream Mr. and Mrs. Goeken came down stairs."

"Did I scream because she was pulling on your feet?"

"I didn't say so."

"What made her scream?"

"I don't know. She may have been angry or something. I don't know what she screamed for."

"Mr. and Mrs. Goeken came down and came in?"

"Yes, sir."

"Did you know that when they came down they were in the front of her dress was torn?"

"I don't know."

"And her hair was all down?"

"I don't know it was a fact."

"And what was the matter?"

"I should judge in the neighborhood of 11 or half past 11 or possibly 12, I don't know, I think in the neighborhood of 11 or half past 11."

"Then what did you do?"

"I said, Sallie, tell these people what has occurred. She didn't say anything; she kept her hands over her face partly. She was not crying, she was not hurt in any way. Mr. Goeken said: 'Well, if I am causing you folks any trouble he said I will leave. I said: 'No, there is no particular trouble and rather than have any guests of mine leave I will leave myself; but you shall not leave the house. I asked Sallie if she wanted me to leave; she didn't say anything. I said: 'If you don't care whether I go or stay I will go. I went and dressed I turned and went towards the kitchen door and I said 'good-bye, Sallie,' as I was going, the time was that Mrs. Goeken said anything; I went out and went down town, I walked about the streets until about 4 or 5 o'clock that morning. I went to the Cozzins house and took a room."

"I didn't go and stand her that night until the pounding was heard up-stairs?"

"I did not."

"The door was fastened?"

"Yes, sir."

"Was it your wife that fastened it?"

"I don't know."

THE NIGHT OF THE TRAGEDY.

It was well into the afternoon when General Cowan commenced his cross-examination of Lauer on the immediate circumstances of shooting his wife.

"On that night before the shooting you say when you came home you went in to get the supper, did you not?"

"I say that we both went in, and I got the supper."

"And you got the supper while she was taking off her wraps?"

"Yes, sir."

"Did she say she wanted to go to bed?"

"I provided for all the meals."

"It was your prepared supper that you and your wife sat down to?"

"She took no part in the getting of the supper."

"I would not be positive that she did not take part in it."

"And then you went and placed yourself on the lounge and lay there to read, did you not?"

"I went to lie on the lounge."

"Did she read to you a while?"

"Yes, sir."

"Did she say she wanted to go to bed?"

"No, that is not my recollection."

"And then after being prepared for bed she came to the sofa and wanted to lie down by your side, did she?"

"Yes, sir."

"She blushed?"

"After lying down by my side."

"You had been married long?"

"About two years and a half and a little over."

"When she came and placed herself on the lounge beside you you say that she blushed, do you?"

"Yes, sir."

"Did she then and rested a few moments and said her heart beat rapidly, did she?"

"I do not know whether she rested or not; she lay there by my side; we were talking to each other."

"Do you know what you were talking about?"

"I do not know what we were talking about."

"What else do you remember of taking place that night?"

"I recollect my wife had ordered some sweet cider that day and she brought the jug out or I did, she got it at Little & Williams and she or I went and got it in the kitchen, and brought the jug out to have some of it, and I recollect that we did not either of us like it because it was too sweet; it was too much like molasses; and the jug sat on the table all night."

"Do you know anything else that took place?"

"Nothing that occurs to me now."

"It was the usual way of spending your evenings?"

"Yes, sir."

"Did you answer in reply to Mr. Thurston's question then that it was the happiest evening that you ever spent in your life?"

"I do not think that that was my reply."

"Do you recollect anything of the kind?"

"I said it was one of the happiest nights in my life that evening."

"Was it that your wife came and placed herself on the sofa beside you—was that what made it one of the pleasantest nights?"

"I think everything connected with the evening, the manner of our going home and the manner that we spent the evening, I think that everything connected with it made it more pleasant than any other evening."

"Your wife did not get the supper that night, did she?"

"I do not think she did."

"Was that one reason to make the happiness of the night, because she left you tired to get your supper?"

"I did not complain of being tired."

"I know you did not, but you were tired, were you not?"

"That was nothing unusual."

"You were, as a matter of fact, were you not?"